

Notice Regarding 2201 Renaissance Boulevard

This Notice is provided pursuant to the Unilateral Administrative Order issued by EPA on April 30, 2001, Docket No.:3-2001-0009 (the "UAO").

Notice is hereby provided to all successors-in-title that 2201 Renaissance Boulevard in Upper Merion Township, designated as Tax Parcel # 58-00-15956-05-1 and further described in the Legal Description attached hereto as Attachment 1 (the "Property"), is part of the Crater Resources Superfund Site (the "Site"). The Property consists of 15.014 acres located within the partially developed 50 acre Site in Upper Merion Township. The Site has been impacted by waste disposal activities associated with an historic coking operation that operated nearby. While no known coking waste disposal activities occurred at the Property, the Property contains a portion of a former sand and gravel quarry (Quarry 4) which may have been impacted by disposal activities at other quarries at the Site. As such, the Property is currently being remediated by Liberty Property Limited Partnership and Liberty Property Trust (collectively "Liberty") in coordination with the U.S. Environmental Protection Agency ("EPA") so that it may be redeveloped for use as an office park. The cleanup remedy selected for the Site is described in EPA's Record of Decision issued on September 27, 2000. The cleanup is being conducted pursuant to the UAO, which became effective on June 7, 2001 and which directs Liberty and other owners and operators of properties included within the Site to implement the remedy in the ROD. The UAO specifically directs Liberty to implement the soil remedy required for Quarry 4 and the Property. In addition, Liberty must provide access to the Property as needed to implement the remedy and must restrict any use of the Property that would interfere with or adversely affect the remediation. A copy of the access and use restrictions required by the UAO is attached hereto as Attachment 2.

LIBERTY PROPERTY LIMITED PARTNERSHIP

By: Liberty Property Trust, its sole general partner

By: _____
Ward J. Fitzgerald, Senior Vice President

Date: _____

Sworn to and subscribed
before me this _____ day
of, _____, 2001

Notary

Attachment 1
Legal Description for 2201 Boulevard

ALL THAT CERTAIN parcel of land **SITUATE** in Upper Merion Township, Montgomery County, Pennsylvania, being shown as Lot 1 on Subdivision Plan for 2301 Renaissance Blvd. made for Liberty Property Trust dated August 4, 1999 and last revised November 3, 2000 by Chester Valley Engineers, Inc., Paoli, Pennsylvania, and being more fully described as follows: **BEGINNING** at a corner in common of Lots 1 and 2 on the southerly right of way line of Renaissance Boulevard, variable width, said beginning point being measured the following five (5) courses and distances from the northerly corner in common of Lot 2 and lands now or late of Crater Resources, Inc.: (1) North 75 degrees 15 minutes 00 seconds East 25.47 feet to a point of curvature; (2) along a curve to the left having a radius of 895.28 feet, an arc length of 287.77 feet, and a chord bearing North 66 degrees 02 minutes 30 seconds East 286.53 feet to a point of tangency; (3) North 56 degrees 50 minutes 00 seconds East 337.64 feet to a point of curvature; (4) along a curve to the right having a radius of 648.57 feet, an arc length of 345.25 feet, and a chord bearing North 72 degrees 05 minutes 00 seconds East 341.19 feet to a point of tangency; (5) North 87 degrees 20 minutes 00 seconds East 214.88 feet to the point of beginning; thence from the point of beginning, along said right of way line, the following six (6) courses and distances: (1) North 87 degrees 20 minutes 00 seconds East 17.91 feet to a point of curvature; (2) along a curve to the right having a radius of 739.84 feet, an arc length of 233.10 feet, and a chord bearing South 83 degrees 38 minutes 26 seconds East 232.14 feet to a point of compound curvature; (3) along a curve to the right having a radius of 699.91 feet, an arc length of 506.32 feet, and a chord bearing South 53 degrees 53 minutes 27 seconds East 495.35 feet to a point of tangency; (4) South 33 degrees 10 minutes 00 seconds East 151.10 feet to a point of curvature; (5) along a curve to the left having a radius of 347.94 feet, an arc length of 197.87 feet, and a chord bearing South 49 degrees 27 minutes 30 seconds East 195.21 feet to a point of tangency; (6) South 65 degrees 45 minutes 00 seconds East 15.28 feet to a corner of these and lands now or late of Out Parcels, Inc.; thence along said lands of Out Parcels, Inc., the following two (2) courses and distances: (1) leaving said right of way line, South 47 degrees 28 minutes 00 seconds West 320.58 feet; (2) South 12 degrees 18 minutes 00 seconds East 230.05 feet to a corner of lands now or late of Gulph Mills Golf Club; thence along said lands, the following two (2) courses and distances: (1) North 87 degrees 27 minutes 33 seconds West 283.68 feet; (2)

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South 84 degrees 44 minutes 04 seconds West 443.68 feet to a corner of lands now or late of Crater Resources, Inc.; thence along said lands, North 05 degrees 15 minutes 56 seconds West 150.00 feet to a corner of Lot 2; thence along Lot 2, the following five (5) courses and distances: (1) North 16 degrees 28 minutes 44 seconds East 342.54 feet; (2) North 23 degrees 21 minutes 00 seconds West 75.00 feet; (3) North 00 degrees 48 minutes 00 seconds West 191.97 feet; (4) North 33 degrees 10 minutes 00 seconds West 52.30 feet; (5) North 00 degrees 48 minutes 00 seconds West 263.67 feet to the point of beginning; and **CONTAINING** 15.014 acres of land, be the same, more or less.

VIII. ACCESS TO AND USE OF THE SITE

A. If the Site, or any other property where access and/or land use restrictions are needed to implement any part of the ROD or this Order, is owned or controlled by any of the Respondents, such Respondents shall:

1. Commencing on the effective date of this Order and thereafter, provide access to EPA, the State, the other Respondents and their respective authorized representatives, employees, agents, consultants, or contractors for the purpose of conducting any activity related to this Order including, but not limited to, the following activities:

- a. Performing and Monitoring the Work;
- b. Verifying any data or information submitted by the Respondents to

EPA or the State;

- c. Conducting investigations relating to contamination at or near the Site;
- d. Obtaining samples;
- e. Assessing the need for, planning, or implementing additional response actions at or near the Site;
- f. Inspecting and copying records, operating logs, contracts, or other documents maintained or generated by Respondents or their agents, consistent with Section XVIII (Access to Information);
- g. Assessing Respondents' compliance with this Order; and
- h. Determining whether the Site or other property is being used in a manner that is prohibited or restricted, or that may need to be prohibited or restricted.

2. Commencing on the effective date of this Order and thereafter, refrain from using the Site, or such other property, in any manner that would interfere with or adversely affect the integrity or protectiveness of the response actions to be implemented pursuant to this Order. In addition, such Respondents shall refrain from using the Site, or such other property, for any purpose which might interfere with, obstruct, or disturb the performance, support, or supervision of the Work, including any Operation and Maintenance activities, taken pursuant to this Order. Unless otherwise required for implementation of the Work under this Order or otherwise determined to be necessary by EPA, such restrictions include, but are not limited to, the following:

- a. There shall be no installation or use of new ground water wells or use of any existing ground water wells;
- b. The land may not be used for any residential purposes; and
- c. There shall be no disturbance of the surface of the land by filling, drilling, excavation, removal of topsoil, rocks or minerals, or change in the topography of the land without at least thirty (30) days prior written approval from EPA.

B. If the Site, or any other property where access and/or land use restrictions are needed to implement this Order, is owned or controlled by persons other than any of the Respondents, Respondents shall use best efforts to secure from such persons:

1. An agreement to provide access thereto for EPA, the Respondents and their respective authorized representatives, employees, agents, consultants, or contractors, for the purpose of conducting any activity related to this Order including, but not limited to, those activities listed in Paragraph VIII.A.1 of this Order;
2. An agreement to abide by the obligations and restrictions established by Paragraph VIII.A.2 of this Order, or that are otherwise necessary to implement, ensure non-interference with, or ensure the protectiveness of the response actions to be performed pursuant to this Order.

If within forty-five (45) days of the effective date of this Order, Respondents have not submitted access and/or land use restriction agreements required by Paragraph VIII.B of this Order, Respondents shall promptly notify EPA in writing and shall include in that notification a summary of the steps that Respondents have taken to attempt to comply with Paragraph VIII.B

of this Order. EPA may, as it deems appropriate, assist Respondents in obtaining access or land use restrictions. As used in this Section, "best efforts" shall include, at a minimum, but shall not be limited to, a certified letter from the Respondents to the owners of property not owned or controlled by the Respondents but to which access and/or land use restrictions are needed to implement this Order requesting:

- a. the agreement required to be obtained pursuant to Paragraph VIII.B.1 of this Order; and
- b. the agreement required to be obtained pursuant to Paragraph VIII.B.2 of this Order.

C. If EPA determines that land use restrictions in the form of state or local laws, regulations, ordinances or other governmental controls beyond those set forth in the ROD are needed to implement the remedy selected in the ROD, ensure the integrity and protectiveness thereof, or ensure non-interference therewith, Respondents shall cooperate with EPA's efforts to secure such governmental controls.

D. Notwithstanding any provision of this Order, EPA retains all of its access authorities and rights, as well as all of its rights to require land use restrictions, including enforcement authorities related thereto, under CERCLA, RCRA and any other applicable statutes or regulations.